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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,730	10/30/2003	Chin-Kuan Lou	3304.2.97	7715
21552 7590 03/07/2007 MADSON & AUSTIN GATEWAY TOWER WEST SUITE 900 15 WEST SOUTH TEMPLE SALT LAKE CITY, UT 84101			EXAMINER TRINH, SONNY	
			ART UNIT 2618	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/07/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

10/697,730

**Applicant(s)**

LOU, CHIN-KUAN

**Examiner**

Sonny TRINH

**Art Unit**

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on RCE filed 01/03/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 21-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-15 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 21-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### CONTINUED EXAMINATION UNDER 37 CFR 1.114 AFTER FINAL REJECTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/03/2007 has been entered.

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1-15, 21-26 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-7, 21-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ha et al. (hereinafter "Ha"; U.S. Patent number 6,530,838) in view of Aasland (U.S. Patent Application Publication Number 2003/0036428 A1).

Regarding **claim 1**, with reference to figure 1 and its description, Ha discloses a command input device (game pad 10 of figure 1) for use with a digital data processing system and a portable communication apparatus (PDA 30 of figure 1), comprising:

a signal connector capable of detachably plugging into a socket of said portable communication apparatus (figure 1, connector 33); and

a command generator coupleable to said signal connector and capable of asserting a command signal (inherent for game command signal in order for the user to play games (see columns 1-2)). However, Ha does not disclose a local wireless transmission modules of said portable communication apparatus and said digital data processing system.

In an analogous art, Aasland teaches a method and apparatus for implementing multiplayer PDA games (abstract). With reference to figure 1, Aasland further teaches the wireless PDA/GPS units adapted for communicating with the game server (please see paragraphs [0014] – [0015]).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to incorporate the wireless capabilities of the PDA, as taught by Aasland, into the system of Ha. The motivation for doing so would be to allow users to interact with each other or to engage in interactive game play.

Regarding **claim 2**, Aasland further teaches that the local wireless transmission modules of said portable communication apparatus and said digital data processing system using Bluetooth protocol (paragraph [0014]).

Regarding **claim 4**, Ha further teaches that the command generator is selected from a group consisting of a game pad module (figure 1, please see description).

Regarding **claims 3, 5 and 28**, the combination of Ha and Aasland discloses the invention but does not explicitly disclose that the command generator obtains electrical power from said portable communication apparatus via said signal connector nor the signal connector is a universal serial bus (USB) connector.

However, universal serial bus (USB) connector are well known and widely used standard for its capability of not only providing a connection but also supplying power to the peripheral devices and the Examiner takes Official notice of such popular connector. The motivation for using an USB connector is to adhere to a standard and also supplying power to the connected devices.

Regarding **claims 6 and 27**, Ha further teaches that said digital data processing system comprises a device selected from a group consisting of a video game system (figure 1).

Regarding **claim 7**, Ha further teaches that said portable communication apparatus comprises a device is a personal digital assistant (figure 1).

Regarding **claims 21-26**, these are the methods claims as opposed to the apparatus claim of claims 1-3, 5-7 respectively and are therefore rejected for the same reasons.

4. **Claim 29** is rejected under 35 U.S.C. 103(a) as being unpatentable over Glover (U.S. Patent Application Publication Number 2003/0054856 A1).

Regarding **claim 29**, with reference to figures 1,3, 4-6 and descriptions (paragraphs [0027] – [0033]). Glover discloses a method of transmitting a command input (keyboard 520 of figure 5) at a peripheral device to a computer (since the PDA is used for data transmission, it is inherent that it communicating with other computer (paragraph [0012]), comprising:

in response to said command input, generating a command signal from a command generator of said peripheral device and providing said command signal to a portable communication device through a signal connector (keyboard 520 is attached to module/PDA 510, obviously through a connector); and transmitting the command signal from the portable communication device to the computer (for data transmission and/or retrieval (paragraph [0012])). However, Glover does not disclose that the wireless transmission is via a bluetooth interconnect. However, Bluetooth protocol is a well known and widely used standard and the Examiner takes Official notice of such known standard for use with a PDA. The motivation for using Bluetooth is to conform to a known standard for compatibility issues.

***Allowable Subject Matter***

5. **Claims 8-15** are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding **claim 8**, the applied references fail to disclose or render obvious the claimed limitations of a communication system, specifically, a portable communication

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apparatus capable of communicating with a base station, said portable communication apparatus having a first local wireless transmission module; a personal computer having a second local wireless transmission module; and a command input device capable of being combined with said portable communication apparatus, and further capable of asserting a command signal to said second local wireless transmission module of said personal computer via said first local wireless transmission module of said portable communication apparatus, wherein the said command input device does not have any wireless transmission module.

### **CONCLUSION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sonny TRINH whose telephone number is 571-272-7927. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward URBAN can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

2/20/07

  
**SONNYTRINH**  
**PRIMARY EXAMINER**